

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

DUPRAY

Serial No.: 09/176,587

Filed: October 21, 1998

Atty. File No.: 1005-DJD

For: "A WIRELESS LOCATION SYSTEM  
CALIBRATING MULTIPLE  
LOCATION ESTIMATORS"

Group Art Unit: 3662

Examiner: Dao Phan

Issue Batch No.: E41

FAX RECEIVED

OCT - 9 2001

PETITIONS OFFICE

INFORMATION DISCLOSURE  
STATEMENT

## CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING FACSIMILED TO EXAMINER DAO PHAN AT (703) 306-  
4185 IN GROUP ART UNIT 3662 OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE, WASHINGTON, DC  
20231 ON September 28, 2001.

SHERIDAN ROSS P.C.

BY: *Chesley C. Ross*

Chesley C. Ross

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:



Are enclosed herewith.



Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were

submitted to the U.S. Patent and Trademark Office in prior application Serial No. 09/194,367  
filed November 24, 1998, which is relied upon for an earlier filing date under 35 U.S.C. §  
120



To the best of applicants' belief, the pertinence of the foreign-language references are  
believed to be summarized in the attached English abstracts and in the figures, although applicants do not  
necessarily vouch for the accuracy of the translation.



Examiner's attention is drawn to the following co-pending applications:

Serial No. 09/194,367 filed November 24, 1998.

Submission of the above information is not intended as an admission that any item is citable under the  
statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in  
the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should  
an inference be drawn as to the pertinence of the references based on the order in which they are presented.  
Submission of this statement should not be taken as an indication that a search has been conducted, or that no  
better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

### FEES

<input checked="" type="checkbox"/>	<p>No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is being filed:</p> <p><input checked="" type="checkbox"/> within three months of the filing date of a Request for Continued Examination or date of entry into the national stage of an international application or</p> <p><input type="checkbox"/> before the mailing date of a first Office Action on the merits, whichever occurs last. 37 C.F.R. 1.97(b).</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>The information disclosure statement transmitted herewith is being filed after three months of the filing date of this national application or the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever occurred last but before the mailing date of either:</p> <p>(1) a final action under 37 C.F.R. 1.113 or</p> <p>(2) a notice of allowance under 37 C.F.R. 1.311,</p> <p>whichever occurs first. This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(c). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> <p>OR</p> <p><input type="checkbox"/> A check in the amount of \$240.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>This Information Disclosure Statement is being submitted after the mailing date of a final action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee.</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(c)</p> <p>AND</p> <p><input type="checkbox"/> Applicants hereby petition for consideration of the references disclosed herein. Enclosed is a petition fee in the amount of \$130.00 under 37 C.F.R. 1.17(i)(1). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>Applicant elects to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement, and the enclosed check includes \$240.00 for payment of such fee. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>

**Certification (37 C.F.R. 1.97(e))**  
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS, P.C.

By 

Dennis J. Dupray, Ph.D.

Registration No. 46,299

1560 Broadway, Suite 1200

Denver, CO 80202-5141

TELEPHONE: 303-863-2975

FAX: 303-863-0223

Date: Sept. 28, 2001

L:\Trace\patent applications\1805\PTO\pto-ids-0011.wpd

Similar to IDS filed on 9/28/01

SHEET 1 OF 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 1005-DJD	SERIAL NO. 09/176,587
	APPLICANT DUPRAY	
	FILING DATE October 21, 1998	GROUP ART 3862

### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1.	6,236,365	5/22/01	LeBlanc et al.	342	457	
	2.	6,157,621	12/5/99	Brown et al.	370	310	
	3.	5,873,040	2/16/99	Dunn et al.	455	456	
	4.	5,872,539	2/18/99	Mullen	342	357	
	5.	5,870,029	2/9/99	Otto et al.	340	825.36	
	6.	5,844,522	12/1/98	Sheffer et al.	342	457	
	7.	5,815,538	9/29/98	Grell et al.	375	356	

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	8.	PCT/US01/17967	6/4/01	PCT				

### OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

9.	U.S. Patent Application Serial No. 09/820,584 filed March 28, 2001 Entitled "LOCATION OF A MOBILE STATION USING A PLURALITY OF COMMERCIAL WIRELESS INFRASTRUCTURES"
----	---

FAX RECEIVED

OCT - 9 2001

PETITIONS OFFICE

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	